

UTAH STATE BOARD OF EDUCATION

Meeting Minutes

February 2, 2023, Board Meeting

9:00 AM. – 6:00 PM.

A regular Utah State Board of Education meeting was held on February 2, 2023. Chair Moss presided. As authorized by Utah Code 52-4, this meeting was held at the state board offices, 250 E. 500 S, Salt Lake City, Utah. The public can view the meeting through live YouTube streaming.

Members Present

Chair James Moss	Member Carol Barlow Lear
First Vice-Chair Molly Hart	Member Matt Hymas
Second Vice-Chair Jennie Earl	Member Christina Boggess
Member Kristan Norton	Member Randy Boothe
Member Natalie Cline	Member Brent J. Strate
Member LeAnn Wood	Member Sarah Reale
Member Cindy Davis	Member Carol Barlow Lear
Member Emily Green	Member Joseph Kerry

Executive Staff Present

Sydnee Dickson, State Superintendent
Patty Norman, Deputy Superintendent
Scott Jones, Deputy Superintendent
Angie Stallings, Deputy Superintendent
Leah Voorhies, Assistant Superintendent
Darin Nielsen, Assistant Superintendent

Minutes were taken by:

Cybil Child, Executive Assistant

Others Present

Bryan Quesenberry, Ben Rasmussen,

Opening Business

Chair Moss called the meeting to order and roll call at 9:07 AM.

Board Member Message

Board Member Kristan Norton shared a welcome message.

Education Highlight

Kelsey James, Board's Communications Coordinator, presented the monthly education highlight.

USBE Public Comments

Monica Wilbur, who has been regularly addressing the Board for 18 months. She spoke about the system's unrelenting dedication to the proposition of standardizing students.

Utah Education Association (UEA) Renée Pinkney, a 23-year veteran in teaching Social Studies and the UEA President, asked with her heartfelt appreciation for USBE to join other public education stakeholders in opposing the 2023 General Session House Bill 215.

USBE Superintendent's Report

Acknowledgment of Student Artwork

The student artwork was presented by Rachel Colledge, USBE Education Specialist for Fine Arts, Music, and Theatre.

USBE New Employees Introductions

Michelle Watts, HR Director, introduced the new employees; Aspen Florence, Mille Mortensen, Monica McCarthy, Maria Hawley, Savannah Hunt, Susie Estrada, Megan Tippetts, Nichole Clark, Ashlee Hintze, Stephanie Smith, and Blake Ramsey.

Employee Recognition

State Superintendent recognized Audra Urie as the February Employee of the Month.

Superintendent's Report

Superintendent Dickson presented her monthly report.

General Consent Calendar

Member Cline pulled 4.1 Instructional Materials Fall 2022 Review Report and 4.3 Contracts/Agreements for Approval.

MOTION was made by Member Earl and seconded by Member Hymas to approve the consent calendar minus 4.1 and 4.3.

The **motion** passed unanimously.

ACTION: Approval of Meeting Minutes

MOTION was made by Member that the Board approves the minutes.

INFORMATION: K-6 Social Studies Standards Implementation Plan

INFORMATION: Contracts/Agreements for Review

4.1 **ACTION:** Instructional Materials Fall 2022 Review Report

MOTION was made by Member Hymas and seconded by Member Lear that the Board approves the recommended Fall 2022 Instructional Materials Review Report.

The **motion** carried with Members Boothe, Davis, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Boggess, Cline, Green, and Kerry opposed.

4.3 **ACTION:** Contracts/Agreements for Approval

MOTION was made by Member Lear and seconded by Member Norton that the Board approves the contracts, as presented.

MOTION TO DIVIDE made by Member Kerry and seconded by Member Kerry to divide all contracts for individual motions.

The **motion to divide** failed, with Members Boggess, Cline, Green, Kerry, and Moss in favor and Members Boothe, Davis, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood opposed.

MOTION TO DIVIDE made by Kerry and seconded by Member Boggess to pull Item 4 Kids Read Now, Inc. for a singular motion.

The **motion to divide** carried with Members Boggess, Cline, Earl, Green, Hart, Hymas, Kerry, and Moss in favor, and Members Boothe, Davis, Lear, Norton, Reale, Strate, and Wood opposed.

MOTION was made by Member Kerry and seconded by Member Boggess that the Board direct staff to add additional terms to the contract that requires LEAs and Kids Read Now, Inc. report complaints to USBE.

MOTION TO AMEND made by Member Kerry and seconded by Member Boggess to remove the following language from the previous motion, “and that the USBE information be included when the LEAs offer the option for the parent’s students to participate in the program.”

MOTION TO AMEND made by Member Boggess and seconded by Member Cline that the Board add to the end of the motion, “and to enjoin the release of directory information.”

MOTION TO POSTPONE made by Member Earl and seconded by Member Kerry that the Board postpones the approval of the Kids Read Now, Inc. to the March board meeting.

The **motion to postpone** carried with Members Lear, Norton, Reale and Strate opposed.

The **final motion** with Members Boothe, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood and Moss in favor, and Members Boggess, Cline, and Green opposed. Member Davis absent.

[Monthly Budget Report](#)

Monthly Budget Report

Scott Jones, Deputy Superintendent of Operations, and Deborah Jacobson, Assistant Superintendent of Operations, presented the Board of education’s monthly budget report. In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education provided a report on the status of funds for their internal budgets.

Discretionary Funds Report

Scott Jones, Deputy Superintendent of Operations, and Deborah Jacobson, Assistant Superintendent of Operations, presented the Board of education discretionary fund report. Deborah Jacobson, Assistant Superintendent, updated the Board on the FY2021 P-12 Discretionary Funds account. Per the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education is provided with a status of the funds.

Regional Education Services Agencies Report

The following participants presented their Regional Education Services Agency report:

- SESC Region - Superintendent Mika Salas and Director Shane Erickson
- SEDC - Superintendent David Styler
- CUES Region - Superintendent Kodey Hughes and Director Jason Strate
- NUES Region - Executive Director Duke Mossman
- NUES Superintendent Woodford

Utah Code 53G-4-410 provides the requirements for the Utah State Board of Education as it relates to the Regional Education Services Agencies. Specifically, the code mandates:

(6) (a) The state board shall distribute any funding appropriated to eligible regional education service agencies as provided by the Legislature.

(b) The state board may provide funding to an eligible regional education service agency in addition to legislative appropriations.

(7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules regarding regional education service agencies including:

(a) the authority, scope, and duties of a regional education service agency; (b) the creation of a

regional education service agency coordinating council, including:

(i) defining the council's role and authority; and

(ii) provisions for the council's membership;

(c) the distribution of legislative appropriations to eligible regional education service agencies;

(d) the designation of eligible regional education service agencies as agents to distribute

Utah

Education and Telehealth Network services; and

(e) the designation of eligible regional education service agencies as agents for regional coordination of public education and higher education services.

(8) The board shall annually:

(a) review the funding the Legislature appropriates to support regional education service agencies; and

(b) recommend any adjustments as part of the board's annual budget request.

Amended by Chapter 253, 2020 General Session Amended by Chapter 408, 2020 General Session

Utah Leading through Effective, Actionable, and Dynamic (ULEAD) Education

Meghan Everette, Director presented the Utah Leading through Effective, Actionable, and Dynamic (ULEAD) Education. ULEAD was created to find, research, and highlight proven practices in Utah schools for replication statewide. ULEAD partners with practitioners, researchers, and education organizations to develop and curate resources, foster collaboration, and drive systemic change for improved student outcomes. The ULEAD Clearinghouse is a growing repository of innovative, effective, and efficient practice resources and tools to support educators.

[Social Studies Standards Interagency Agreement](#)

During January 12, 2023, Board Meeting, the following motion was passed regarding the Utah State Board of Education (USBE) entering into an Interagency Agreement (IAA) with an LEA or consortium of LEAs:

MOTION as amended, carried - That the Board approves staff to begin the process of developing the steps to enter into an Interagency Agreement (IAA) with a Utah LEA or consortium of LEAs to produce the PreK-6 social studies curriculum aligned to the revised standards, including the details of the questions discussed in the Standards and Assessment Committee December 2, 2022, and that the scope of work is limited only to the standards approved by the Board.

Since then, the purchasing department has found that USBE cannot enter into an IAA with an LEA because USBE serves as the governing body for the LEA. Due to this information, Board Leadership is bringing the item back to the Full Board to discuss entering into a Request for Purchase (RFP) process.

MOTION was made by Member Earl and seconded by Member Kerry that the Board approves the 2023 Social Studies RFP Process, as presented.

- USBE impanels an RFP Social Studies Committee (Committee) to oversee the RFP process for the Social Studies Standards K-6.
- The Committee consists of three board members and appropriate staff.
- Board members may submit Social Studies RFP recommendations to the Committee (to Elementary Social Studies Specialist) for consideration by February 16 at 5:00.
- The Committee reviews recommendations and other related materials and publishes an RFP.
- The Committee reviews the RFP vendor proposals and selects a vendor.
- The Committee prepares a contract between USBE and the vendor and places it on the USBE consent calendar for approval in a regular USBE Board meeting.
- After the contract is approved and signed, the Committee convenes to review the vendor's deliverables at key checkpoints as outlined in the RFP and contract.
- plus approve the use of \$400,000 from state discretionary funds and \$400,000 from mineral lease funds for the RFP.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member Lear that the Board approves the use of \$400,000 from state discretionary funds and \$400,000 from mineral lease funds for a competitive grant process.

MOTION TO AMEND by Member Davis and seconded by Member Lear that the Board

provide in the RFP contract that the vendor engages with LEAs (educators who would serve as content writers for the curriculum).

The amended **substitute motion** carried with Members Boothe, Davis, Hart, Lear, Norton, Reale, Strate, and Wood in favor and Members Earl, Boggess, Cline, Hymas, Kerry, and Moss opposed.

MOTION TO AMEND SUBSTITUTE was made by Member Davis and seconded by Member Wood that the Board remove “a competitive grant” and replace it with” an RFP.”

That **motion to amend the substitute** failed unanimously.

SUBSTITUTE MOTION that the Board approves the use of \$400,000 from state discretionary funds and \$400,000 from mineral lease funds for a competitive grant process and provide in the RFP contract that the vendor engages with LEAs (educators who would serve as content writers for the curriculum).

MOTION TO AMEND SUBSTITUTE was made by Member Lear and seconded by Member Strate that the board add and strike the listed information: And provide in the process that the grantee would engage with LEA educators who would serve as content writers for the curriculum provide in the RFP contract that the vendor engages with LEAs (educators who would serve as content writers for the curriculum).—

The **motion** failed with Members Boothe, Davis, Lear, Norton, Strate, and Wood in favor and Members Boggess, Cline, Earl, Green, Hart, Hymas, Kerry, and Moss opposed. Member Reale is absent.

FINAL SUBSTITUTE MOTION, AS AMENDED

that the Board approves the use of \$400,000 from state discretionary funds and \$400,000 from mineral lease funds for a competitive grant process and provides in the process that the grantee would engage with LEA educators who would serve as content writers for the

curriculum.

The **motion** failed with Members Boothe, Davis, Lear, Norton, and Strate in favor and Members Boggess, Cline, Earl, Green, Hart, Hymas, Kerry, Reale, Wood, and Moss opposed.

MOTION TO AMEND was made by Member Earl and seconded by Member Kerry that the Board add each standing committee will vote one board member to serve on the committee.

The **motion** passed unanimously.

MOTION TO AMEND was made by Member Davis and seconded by Member Strate that the Board remove the word "RFP" and replace with "competitive grant."

The **motion** carried with Members Boggess, Boothe, Davis, Earl, Green, Hart, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss in favor, and Members Cline and Hymas opposed.

MOTION was made by Member Kerry and seconded Boggess change "vendor" to "grantee."

The **motion** passed unanimously.

That the Board approves the 2023 Social Studies Competitive Grant Process, as presented.

- USBE impanels an RFP Social Studies Committee (Committee) to oversee the competitive grant process for the Social Studies Standards K-6.
- The Committee consists of three board members and appropriate staff.
- Board members may submit Social Studies competitive grant recommendations to the Committee (to Elementary Social Studies Specialist) for consideration by February 16 at 5:00.
- The Committee reviews recommendations and other related materials and publishes an RFP.
- The Committee reviews the competitive grant vendor proposals and selects a vendor.
- The Committee prepares a contract between USBE and the grantee and places it on the USBE consent calendar for approval in a regular USBE Board meeting.
- After the contract is approved and signed, the Committee convenes to review the

grantee's deliverables at key checkpoints as outlined in the competitive grant and contract.

- Approve the use of \$400,000 from state discretionary funds and \$400,000 from mineral lease funds for the competitive grant.
- Each standing committee will vote one board member to serve on the committee.

The **final motion** passed unanimously.

2023 General Session Legislation Preparation

Legislative Policy and Funding Items

Staff presented bills to the Board for their information and potential action.

MOTION was made by Member Hart and seconded by Member Moss that the Board support 1st Substitute HB 118 Education False Claims Amendments (Rep. Teuscher, J.).

That **motion** carried with Members Hart, Moss, Earl, Hymas, Reale, Lear Strate, Norton, Wood, Boothe, and Davis in favor and Members Boggess, Cline, and Green opposed.

MOTION was made by Member Lear and seconded by Member Reale that the Board supports 2nd Sub HB 61 School Safety Requirements (Rep. Wilcox, R.) with the request that the sponsor removes or amends lines 267-268 from the bill add the “expansion or enhancements of existing services.”

The **motion** carried with Members Hart, Moss, Earl, Hymas, Reale, Lear Strate, Norton, Wood, Boothe, Green, and Davis in favor and Members Boggess and Cline opposed.

Requests for Statutory Changes

MOTION was made by Member Green and seconded by Member Boggess that the Board directs staff to stop pursuing legislation on Educator Evaluation for the 2023 General Session and request Board leadership to refer this issue to a future Board standing committee meeting.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member Strate that the Board directs staff to move forward with legislation to:

- 1) Authorize a pilot program to be established by the Board through rule while maintain the four designations; and
- 2) Exempt pilot LEAs from certain Utah Code provisions on educator evaluation, and
- 3) remove the Educator Salary Adjustment requirements to be “effective” to receive the ESA.

The **substitute motion** carried with Norton, Strate, Lear, Reale, Earl, Moss, Hart, Wood, and Davis in favor and Members Cline, Green, Boggess, opposed.

MOTION was made by Member Davis and seconded by Member Hart that the Board directs staff to work with legislators on potential amendments to Utah Code as proposed as recommended by the Reports and Requirements recommendations.

The **motion** carried with Members Boothe, Davis, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, Wood and Moss in favor Members Boggess, Green, and Cline opposed.

[Finance Committee Report/Recommendations](#)

Recommended Amendment (Ear Mark) to the Utah State Constitution

1st MOTION: That the Board approves the recommendation of the following language as the proposed amendment to the Utah State Constitution:

The legislature shall ‘ensure that public education (K-12), governed (without restriction) by the states’ constitutional agency, funding is no less than 50% up to 75% of the overall state budget.

SUBSTITUTE MOTION was made by Member Strate and seconded by Member Lear that the Board approve the recommended following proposed amendment to the Utah State Constitution in exchange for full access to the Income Tax Fund by the legislature:

“Subject to revenue, the Legislature shall support an established statutory public education funding framework that includes public education funding stabilization, enrollment growth, and an inflationary index to protect and defend public education funding against economic uncertainty.”

MOTION TO AMEND made by Member Boggess and seconded by Member Cline to add “k12” and “governed without restriction by the state’s constitutional agency,” as follows:

That the Board recommends the Legislature initiate the amendment process to amend the Utah State Constitution as follows:

“All revenue from taxes on intangible property and no less than 85% from a tax on income shall be used:

1. To support **k12** public education as defined in Art X Sec 2 **and governed, without restriction, by the state’s constitutional agency** at no less than 50% of the overall state budget as defined in Art X, Sec 2; and
2. To support higher education at no less than 17.5% of the overall state budget as defined in Art X Sec 2; and
3. To support children and individuals with a disability at no less than 17.5% of the overall state budget.

The **motion** carried with nine in favor and five opposed.

MOTION TO AMEND was made by Member Strate and seconded by Member Lear to strike (a) All revenue from taxes on intangible property and no less than 85% from a tax on income and (b) items 2 and 3.

MOTION TO AMEND THE AMENDMENT was made by Member Lear and seconded by Member Norton to strike “agency” and replace with “body.”

The **motion** passed unanimously.

MOTION TO AMEND was made by Member Lear and seconded by Member Strate that the Board recommends the Legislature initiate the amendment process to amend the Utah State Constitution as follows:

“The Legislature shall provide funding K-12 public education as defined in ArtX, Sec 2 and governed, without exception, by the Utah State Board of Education, as provided in Art X, Sec 3 at no less than 50% of the overall state revenue.”

The **motion** carried with Member Earl opposed.

Recommended Public Education Funding Stabilization Bill Language/Requirements

2nd MOTION: That the Board approves the prepared recommendations 3, 4, 5, and 8 of the committee for language in a bill that specifies funding requirements/formulas similar to House Bill 357 from the 2020 Legislative session.

3 The statute codifies that the legislature shall, ‘provide a WPU value of \$6,000 or more per student by the fiscal year 2027.’ Based on the base budget as of 1/23/2023-WPU value is \$4,175. It is achievable but means a 10% increase in the WPU value over the next four years.

4 In times of economic growth, the Legislature must fund at least 6% of the WPU before increasing funding to any other subcommittee budget until Utah’s funding per student exceeds the 75th percentile in the nation. In times of economic recession or stagnation, the Legislature shall fund enrollment growth and the inflation factor before increasing funding to any other subcommittee budget.

5 The statute codifies that the legislature shall ‘set aside sufficient funds per year to ensure sustainment of public education funding to prior year funding levels for up to five years when there are periods of recession, negative growth, and/or declines in personal income averages.’ This is providing or sustaining education rainy day fund.

(Context: The worst recession we have experienced took five years to come out of, so if we can ensure a sufficient level of ‘rainy day funds’ specific to public ed, we think that will help protect public education funding levels during the worst of times.)

8 Tie percent increase in personal income to increase in the public education funding and provide inflationary factor to certified tax rates.

SUBSTITUTE MOTION was made by Member Earl and seconded by Boggess that the Board recommends that the Legislature:

1. provide a WPU value of \$6,000 or more per student by the fiscal year 2027;
2. fund at least 6% of the WPU during times of economic growth before increasing funding to any other subcommittee budget or line-item education appropriation;
3. fund enrollment growth and the inflation factor during times of economic recession or stagnation before increasing funding to any other subcommittee budget;
4. set aside sufficient funds per year to ensure sustainment of public education funding to prior year funding levels for up to five years when there are periods of recession, negative growth, and/or declines in personal income averages; and
5. restrict the number of public education bills in each session by setting an early deadline for public education bills or by limiting the number allowed to be reviewed and prioritize WPU funding over grants and line-item appropriations.

MOTION TO AMEND was made by Member Davis and seconded by Member Norton that the Board strike (3), keep HB 357; and add (8)

1. provide a WPU value of \$6,000 or more per student by the fiscal year 2027;
2. fund at least 6% of the WPU during times of economic growth before increasing funding to any other subcommittee budget or line-item education appropriation;
- ~~3. fund enrollment growth and the inflation factor during times of economic recession or stagnation before increasing funding to any other subcommittee budget; continue 357~~
4. set aside sufficient funds per year to ensure sustainment of public education funding to

prior year funding levels for up to five years when there are periods of recession, negative growth, and/or declines in personal income averages; and

5. restrict the number of public education bills in each session by setting an early deadline for public education bills or by limiting the number allowed to be reviewed and prioritize WPU funding over grants and line-item appropriations.
6. Tie percent increase in personal income to increase in the public education funding and provide inflationary factors to certified tax rates.

The **motion** carried unanimously.

MOTION TO DIVIDE was made by Member Boggess and seconded by Member Earl to vote on the stricken language (3) and the new language (6).

The **motion to divide** fails with six in favor and eight opposed.

MOTION TO AMEND was made by Member Strate and seconded by Member Lear that the Board add (7) finance any expansion of HB 215 above and beyond the yearly inflation adjustment above the 50% threshold.

The **motion** failed with six in favor and eight opposed.

MOTION TO AMEND was made by Member Moss and seconded by Member Hymas to amend (4) add “and to reallocate any decline in the number of WPU, to the value of the WPU.”

The **motion** passed unanimously.

That the Board recommend that the Legislature:

1. provide a WPU value of \$6,000 or more per student by the fiscal year 2027;
2. fund at least a 6% increase to the value of the WPU during times of economic growth before increasing funding to any other subcommittee budget or line-item education appropriation;

3. continue HB 357;
4. set aside sufficient funds per year to ensure sustainment of public education funding to prior year funding levels for up to five years when there are periods of recession, negative growth, and/or declines in personal income averages; and to reallocate any decline in the number of WPU, to the value of the WPU;
5. restrict the number of public education bills in each session by setting an early deadline for public education bills or by limiting the number allowed to be reviewed and prioritize WPU funding over grants and line-item appropriations; and
6. tie percent increase in personal income to increase in the public education funding and provide inflationary factors to certified tax rates.

The **final motion** passed unanimously.

R277-463, Class Size Average and Pupil-Teacher Ratio Reporting (Repeal)

MOTION that the Board repeals R277-463 second and final reading.

SUBSTITUTE MOTION was made by Member Boggess and seconded by Member Green that the Board does not repeal the rule and include proposed amendments.

The **motion** failed unanimously.

MOTION was made by Member Earl and seconded by Member Wood that the Board sends the rule back to the committee for further review.

The **motion** failed with seven in favor and six opposed.

MOTION that the Board repeals R277-463 second and final reading.

The **motion** carried with Members Cline, Davis, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Green and Boggess opposed.

R277-600, Student Transportation Standards, and Procedures (Amendment)

MOTION that the Board approves R277-600, Draft 1, on the second and final reading.

The **motion** carried with Members Boggess, Cline, Earl, Green, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss in favor, and Members Davis opposed.

Approve Small School District Capital Projects Panel Projects Over \$2 Million

MOTION that the Board approves the Small School District Capital Projects Fund FY23 panel recommendations:

- Wayne High School -
 - o \$32 million state funding request; \$40 million total project cost
- San Juan Safe Entryway Remodels –
 - o \$3,333,333 state funding request; \$5 million total project cost
- Emery High New Building –
 - o \$13,500,000 state funding request; \$51 million total project cost

MOTION was made by Member Hart and seconded by Member Davis that the Board send the item back to the Finance Committee.

The **motion** passed unanimously.

Correction to Teacher and Student Success Account Distributions-Fiscal Year 2022 Mid-Year Update

MOTION that the Board approves the use of available, unrestricted one-time funds to hold harmless the LEAs that had their TSSA allocations adjusted downward for State Fiscal Years 2020 - 2022.

The **motion** passed unanimously.

R277-407, School Fees

MOTION that the Board approves R277-407, School Fees, Draft 3, on the second and final reading.

MOTION that the Board approves staff work with a legislator to amend Utah Code provisions related to group fundraising as stated above.

The **motion** passed unanimously.

Substitute motion made by Member Davis and seconded by Member Hart That the Board postpones action on R277-407 until after legislation to potential 2023 General Session school fees legislation.

The **motion** passed unanimously.

Law and Licensing Committee Report/Recommendations

Amendment to Research Data Sharing Agreement with the University of Utah's Second Language Teaching and Research Center (L2TRC)

MOTION that the Board approves the amendment to the data-sharing agreement with the University of Utah's L2TRC.

The **motion** carried with Members Cline and Green opposed. Member Kerry absent.

ULEAD Partnership Data Sharing Agreement with BYU and Wasatch County School District

MOTION that the Board approves the ULEAD Partnership Data Sharing Agreement with Brigham Young University, Wasatch County School District, and ULEAD.

The **motion** failed with seven in favor and six opposed.

MOTION was made by Member Earl and seconded by Member Moss that the Board approves the ULEAD Partnership Data Sharing Agreement with Brigham Young University, Wasatch County School District, and ULEAD agreement be amended to require full Board approval (without committee pre-approval) for changes to the scope or data elements.

The **motion** failed with Members Earl, Hart, Reale, Wood, and Moss in favor, and Members Boggess, Cline, Davis, Green, Lear, Norton, and Strate. Member Kerry and Boothe were absent.

R277-552, Charter School Timelines, and Approval Processes

MOTION that the Board approves R277-552, Draft 3, on the second and final reading.

The **motion** carried with nine in favor.

Members Lear, Boothe, and Kerry absent.

MOTION TO AMEND was made by Member Hymas and seconded that the Board deletes lines 293-300 of R277-552 – Draft 3.

(3) An authorizer may only approve an application from a charter school for a satellite school or large expansion if.

~~(b) the charter school meets the requirement of the charter school authorizer's standards and requirements;~~

~~(c) the charter school is academically high performing and in good standing according to the standards established by the charter school's authorizer in the authorizer's process for charter school expansion or satellite school described in Subsection R277-552-3(2), including whether the charter LEA, as a whole, qualifies as high performing under the charter school's authorizer's approved definition of high performing;~~

The motion fails with seven in favor and Members Boothe and Kerry absent.

MOTION TO AMEND THE AMENDMENT was made by Member Davis and seconded by Member Lear that the Board strike lines 298-300 ~~including whether the charter LEA, as a whole, qualifies as high performing under the charter school's authorizer's approved definition of high performing;~~

The **motion to amend the amendment** failed with five in favor and Members Boothe and Kerry absent.

R277-115, LEA Supervision and Monitoring Requirements of Third-Party Providers and Contracts

MOTION that the Board approves R277-115, Draft 3, on the second and final reading.

The **motion** carried with Members Cline, Boggess, and Davis opposed.

Request for Waiver from Board Rule R277-419-4

MOTION that the Board approves the waiver of R277-419-4 for American Leadership Academy.

The **motion** passed unanimously.

R277-617, Smart School Technology Program (Repeal)

MOTION that the Board repeals R277-617 on the second and final reading.

The **motion** carried with Member Cline opposed.

R277-303, Educator Preparation Programs (Amendment)

MOTION that the Board approves R277-303, Draft 3, on the second and final reading.

MOTION TO AMEND was made by Member Davis and seconded by Member Hart that the staff updates all new amendments and references to flexibility in R277-303 – Draft 3 be specific to alternative preparation programs.

That **motion to amend** carried with eleven in favor and three opposed. Member Kerry absent.

MOTION TO AMEND was made by Member Davis and seconded by Member Wood that the Board add the following new Subsection (1)(d) be added to the Superintendent's responsibilities after line 137 of R277-303 – Draft 3 " (d) ensuring that alternative preparation program applicants be grandfathered from new program requirements added after the applicant's acceptance into the program."

The **motion to amend** passed unanimously.

The **final motion** carried with Members Boothe, Davis, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Member Boggess, Green, and Cline opposed. Member Kerry absent.

Pilot Waiver to R277-750 Special Education Rules, IDEA Dispute Resolution request submission process

MOTION that the Board approves the waiver of R277-750 to pilot an electronic submission of IDEA Dispute Resolution requests.

The **motion** carried with Member Cline opposed. Member Kerry absent.

Standards and Assessment Committee Report/Recommendations

Financial Literacy Standards Revision

MOTION that the Board approves the General Financial Literacy Standards as amended, including any conforming technical changes needed for all standards.

Member Wood Motion

MOTION TO AMEND: That the Board amends the General Financial Literacy Standards as follows:

Strand 1:

Standard 2:

Substitute: Explain why free market systems are superior and have made America the most accessible and prosperous country in the world.

New Language: Discuss why the free-market system has contributed to making the United States more prosperous.

Strand 2:

Standard 1:

Substitute: Discuss principles of financial freedom, such as avoiding debt to the extent possible

Discuss the principles of financial management that promote individual financial stability, such as minimizing debt.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board amend Standard 2, Bullet Point 3 to read: Discuss how free market systems and property rights correlate with economic prosperity.

MOTION TO AMEND was made by Member Green and seconded by Member Earl to remove the definitions from the previous amendment.

The **motion** carried with Member Cline opposed.

MOTION TO DIVIDE was made by Member Wood and seconded by Member Strate to divide all the strands.

The **motion** carried with Member Cline opposed. Member Kerry and Boothe absent.

MOTION was made by Member Cline Part 1: Amend Strand 1, Standard 2, Bullet Point 1 to read:

Understand the different ideologies behind economic systems, including Capitalism, Laissez-Faire, Social Market, Neo-Capitalism, Socialism, Fascism, and Communism

The **motion** failed with Members Boggess, Green, Cline, Earl, and Hymas in favor and Members Davis, Hart, Lear, Norton, Reale, Strate, Wood and Moss opposed.

MOTION was made by Member Cline Part 2: Amend Standard 2, Bullet Point 2 to read: Discuss historic and current examples of traditional, market, command, and mixed economic systems as they relate to the aforementioned ideologies and their effects on economic growth.

The **motion** carried with eleven in favor and two opposed.

MOTION TO RECONSIDER was made by Member Reale.

The **motion** passed unanimously.

MOTION was made by Member Cline Part 1: Amend Strand 1, Standard 2, Bullet Point 1 to read: Understand the different ideologies behind economic systems, including: Capitalism, Laissez-Faire, Social Market, Neo-Capitalism, Socialism, Fascism, and Communism

The **motion** carried with eight in favor and five opposed.

MOTION was made by Member Cline Part 3 Amend Standard 2, Bullet Point 3 to read: Discuss how free market systems and property rights correlate with economic prosperity.

MOTION TO AMEND was made by Member Earl and seconded by Member Hymas to replace correlate with "can lead to."

The **motion** failed with Member Norton in favor and Members Boggess, Cline, Davis, Earl, Green, Hart, Hymas, Lear, Reale, Strate, Wood, and Moss opposed.

The **motion** passed unanimously.

SUBSTITUTE MOTION was made by Member Strate and seconded by Member Reale

That the Board adopts the language from the writing committee.

MOTION TO AMEND was made by Member Wood and seconded by Member Reale that the Board amend:

Strand 2:

Standard 1:

Substitute: Discuss principles of financial freedom, such as avoiding debt to the extent possible

Discuss the principles of financial management that promote individual financial stability, such as minimizing debt.

The **motion** passed unanimously.

MOTION that the Board approves the General Financial Literacy Standards as amended, including any conforming technical changes needed for all standards, as amended.

MOTION TO AMEND was made by Member Strate and seconded by Member Lear that the Board amends Strand 1, Standard 1, BP 5 amended to read, "Discuss the role of the federal government in fiscal policy and the role of the Federal Reserve in monetary policy."

The **motion** passed unanimously.

MOTION that the Board approves the General Financial Literacy Standards as amended, including any conforming technical changes needed for all standards, as amended.

The **motion** passed unanimously.

Board Member Comments

Natalie Cline Comments

I would like what I'm about to say go on the official record of the Board minutes today. I've gotten lots of public feedback from the recent controversial recordings that have come to light in the Jordan School District. My big takeaway was that school employees are feeling

emboldened by laws, rules, trainings, practices, and other elements of our Utah school system to literally **proselyte** their divisive, inappropriate, and highly offensive ideologies to students of all ages—and what makes this even worse is that they feel **protected** by the system in doing so. This the very same system so much lip service is given to as being “ALL ABOUT THE CHILDREN.”

Is it really all ABOUT THE CHILDREN when we have adults who are purposely exploiting their positions of power over students?

Is it really all ABOUT THE CHILDREN when student participation in their own indoctrination is not only expected, but actually required?

Is it really all ABOUT THE CHILDREN when parents have to write emails and show up at school board meetings month after month to find out why their children are being made to feel “intimidated,” “shamed,” and “isolated” during “non-academic social lessons” about things like white privilege and systemic racism being taught as “social doctrine”?

Is it really all ABOUT THE CHILDREN when reports of students continuing come in of intrusive surveys being given, without parental consent, that ask for personal and inappropriate questions, including students’ preferred pronouns.

Is it really all ABOUT THE CHILDREN when a child comes home and tells her mom that the school librarian told her class that “if you’re uncomfortable reading a book in our library, DON’T tell your mom, just close it and put it back. We don’t need moms calling the district to get books pulled out of our library.” This same student told her teacher she didn’t want to participate in Social Emotional Learning. The teacher told her she should, so she asked to call her mom and was told NO.

I don’t know about anyone else on our Board, I can only speak from **my** experience, but I receive **daily** communications from parents, often **many** a day. I don’t just receive complaints

of gross misconduct happening in my own Board district—I get them from every board Member’s district, from St. George to Logan, and everywhere in between.

In fact, one father from Member Lear’s district, with concerns about inappropriate concurrent enrollment content, told me he was referred specifically to me by our AG Brian Quesenberry, as the Board member that would be most likely to help him.

My point with this is that there are some very real and very disturbing things going on in our public schools. And it seems that no matter how many rules, or trainings or documents we put out, these same issues keep popping up like a never-ending game of whack-a-mole. If you’re familiar at all with how moles operate, it’s not just one mole in one hole, here or there. An entire SYSTEM of underground tunnels exists that makes it very difficult to isolate any one mole at any given time. The extensive, interconnected, just-beneath-the-surface network of mole tunnels is the perfect metaphor for how our school system functions today, and has functioned for years. It allows certain actors in the system to elude accountability for their actions. It makes it almost impossible to track who’s doing what to whom. And it hides the true nature of what’s happening enough out of sight until something forces the mischief into the public eye.

So, my question is, What exactly is it that we’re doing as a board to give districts, schools, administrators, teachers, and other support staff the impression that this game of whack-a-mole that we’re playing is acceptable? At every level, everyone in the system **is complicit** and the integrity of the system is being completely undermined.

As board members we need to be questioning, *WHAT IS OUR ROLE IN THIS GAME?* Are we adding more tunnels? Or are we exposing them and bringing them out into the light? Are we just accepting what we’re told by “experts” about what’s happening under the surface? Or are we taking a look for ourselves? So much has been brought to my attention through the grama requests of others that is extraordinarily revealing information that we as Board Members

shouldn't have to rely on private citizens unearthing for us so that we can do our jobs right. This is information we should by rights have access to.

If we are to perform our constitutional duties of "general control and supervision" of the entire K-12 public education system, then we need more transparency regarding the ins and outs of the system.

For example:

- Board members should be given full access to all listservs, teacher training portals, online teacher trainings, UEN and MIDAS educator platforms, and data systems that administrators, staff, and other school officials have access to. Anywhere that students, teachers, administrators, or USBE staff and superintendency can go, we should be able to go.
- We should be able to attend and observe ANY advisory committee meeting in our duties as Board Members.
- Any frameworks pertaining to the comprehensive guidance of our K-12 education system, including our Strategic Plan, Mission, and Vision, should be considered a standing agenda item for the full board, so we can have robust discussion and make course corrections as needed monthly.
- Contracts should not be embedded within the Consent calendar.
- We should have a section on the agenda to discuss pressing, ad hoc systemic issues that require our immediate attention. Motions could be made during this time to add these issues to a future agenda, to show the public that we are acting in good faith and addressing their concerns in a timely manner.
- We should be setting the performance goals for those that work for us.

These are just a few ways we can be more responsive and more deliberative as an elected body, **to act and not just be acted upon** by the system that **we** have the general control and supervision of. People go where they are led, and **we** were elected to lead—we need to take back the responsibilities of our oaths of office if we mean to ever be more than a pro forma elected body...or bobble-head board.

Thank you for your time.

Adjournment

The meeting was adjourned at 10:46 pm.

DRAFT

Minutes were taken by Cybil Prideaux, Board Secretary.

Minutes pending approval.